

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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HILARY CARYN OLSEN,

Case No. 3:23-cv-00334-MMD-CLB

Plaintiff,

ORDER

v.

RENO, NV, *et al.*,

Defendants.

Pro se Plaintiff Hilary Caryn Olsen brings this action against Defendants under 42 U.S.C. § 1983. (ECF No. 1-2 (“Complaint”).) Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin, recommending that the Court grant Plaintiff’s application to proceed *in forma pauperis* (ECF No. 1 (“IFP Application”)) and dismiss her Complaint with prejudice. (ECF No. 4.) Plaintiff’s objection to the R&R was due July 26, 2023. To date, Plaintiff has not objected to the R&R. For this reason, and as explained below, the Court adopts the R&R in full and dismisses this case with prejudice.

Because there was no objection, the Court need not conduct *de novo* review, and is satisfied that Judge Baldwin did not clearly err. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations”) (emphasis in original). To start, Judge Baldwin correctly found that the Court should grant Plaintiff’s IFP Application because she is unable to pay the filing fee. (ECF No. 1.) See 28 U.S.C. § 1915(a)(1); *Lopez v. Smith*, 203 F.3d 1122, 1129 (9th Cir. 2000). Judge Baldwin also correctly concluded that the Complaint should be dismissed because it is incomprehensible, confusing, and contains conclusory and vague statements. (ECF No. 4 at 3-5.) The Court is unable to identify the legal or factual

1 basis for her claims, and the relief sought. (*Id.* at 4.) See Fed. R. Civ. P. 8(a) (“A pleading
2 that states a claim for relief must contain . . . a short and plain statement of the claim
3 showing that the pleader is entitled to relief . . . [and] a demand for the relief sought”); *Bell*
4 *Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). Accordingly, the Court adopts Judge
5 Baldwin’s R&R in full.

6 It is therefore ordered that Judge Baldwin’s Report and Recommendation (ECF
7 No. 4) is accepted and adopted in full.

8 It is further ordered that Plaintiff’s application to proceed *in forma pauperis* (ECF
9 No. 1) is granted.

10 It is further ordered that this case is dismissed with prejudice, as amendment is
11 futile.

12 The Clerk of Court is directed to file the Complaint (ECF No. 1-2).

13 The Clerk of Court is directed to enter judgment accordingly and close this case.

14 DATED THIS 31st Day of July 2023.

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MIRANDA M. DU
17 CHIEF UNITED STATES DISTRICT JUDGE
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